

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Amendments to
Rules Governing Intoxication Testing Utilizing
Evidentiary Breath Tests, *Minnesota Rules*
Chapter 7502

**ORDER ON REVIEW OF
RULES UNDER MINNESOTA
STATUTES, SECTION 14.389**

This matter came before Administrative Law Judge Eric L. Lipman upon the Minnesota Department of Public Safety's resubmission of earlier-disapproved rules. The Department seeks a legal review of its revised materials under Minn. Stat. § 14.389 and Minn. R. 1400.2410, subpart 6.

Based upon a review of the written submissions and filings, and the revised Order of the Commissioner, dated February 27, 2012,

IT IS HEREBY DETERMINED:

1. The agency has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with all of the procedural requirements of Minnesota Statutes, chapter 14, and Minnesota Rules, chapter 1400..

IT IS HEREBY ORDERED THAT:

1. The rules are **APPROVED**.

Dated: March 2, 2012

s/Eric L. Lipman
ERIC L. LIPMAN
Administrative Law Judge